

7-14-2011 PUBLIC HEARING ON LOCAL LAW #3 OF 2011 – NOTICE OF DEFECTS LAW AMENDMENTS

Present:

Councilman Cheryl L. Earl
Councilman David L. Montgomery
Councilman Norman J. Uhteg
Supervisor Mary L. Hannon

Absent:

Councilman Daniel L. Miller

Also Present:

Attorney for the Town Linda Joseph
Town Clerk Betsy A. Marsh
13 guests

The Sardinia Town Board held a Public Hearing on July 14 2011 at the Town Hall/Community Center, for the purpose of hearing comments on Proposed Local Law #3 of 2011, a Local Law to amend the Town's "Notice of Defects" Law. The Supervisor called the hearing to order at 6:00 PM, with the Pledge to the Flag.

The Attorney for the Town, Linda Joseph, explained that this amendment to the Town's Notice of Defects Law was requested by the Town's insurance carrier in order to bring it into conformance with all the other Towns and the State provisions. She stated that what the law does is requires advance notice of any defect before any lawsuit can be brought. She stated that this modification to the law requires a report to the Highway Superintendent, rather than the Town Clerk, and he must then file the notice with the Town Clerk, who must keep a record of it.

The Supervisor opened the floor to comments from the public, stating she doesn't feel this is controversial.

John Schiener of Sardinia stated that the Attorney had answered his question as to the difference from the old law.

Councilman Uhteg stated he has responded to complaints about cracks in the sidewalks, and asked if the Town was planning on any sidewalk repairs. Supervisor Hannon stated that the Highway Superintendent had put money aside in his budget for that purpose, and Mr. Uhteg stated he would speak to Highway Superintendent Hopkins on the issue.

Attorney Joseph noted that all Notice of Defects must be in writing.

John Schiener asked if all new laws could be put on the Town's website, and Councilman Earl stated they could.

The Supervisor then called three times for further comments. There being no further comments forthcoming, on a motion by Earl, seconded by Montgomery, the hearing was closed at 6:06 PM. Carried, 4 ayes, 1 absent, 0 noes. It was noted that the next Public Hearing will be held at 6:15 PM.

Respectfully Submitted,

Town Clerk